

House File 2029 - Introduced

HOUSE FILE 2029
BY ZIRKELBACH

A BILL FOR

1 An Act concerning bona fide retirement rules under the Iowa
2 public employees retirement system.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 97B.52A, subsection 1, paragraph c, Code
2 2009, is amended to read as follows:

3 c. For a member whose first month of entitlement is July
4 2000 or later, the member does not return to any employment
5 with a covered employer until the member has qualified for
6 at least one calendar month of retirement benefits, and the
7 member does not return to covered employment until the member
8 has qualified for no fewer than four calendar months of
9 retirement benefits. For purposes of this paragraph, effective
10 July 1, 2000, any employment with a covered employer does
11 not include employment as an elective official or member of
12 the general assembly if the member is not covered under this
13 chapter for that employment. For purposes of determining a
14 bona fide retirement under this paragraph and for a member
15 whose first month of entitlement is July 2004 or later,
16 but before July 2010, covered employment does not include
17 employment as a licensed health care professional by a public
18 hospital as defined in section 249J.3, with the exception
19 of public hospitals governed pursuant to chapter 226. For
20 purposes of this paragraph, effective July 1, 2010, returning
21 to covered employment means returning to employment with a
22 different employer than the employer that employed the member
23 immediately prior to retirement unless the member is returning
24 to employment as an elective official or member of the general
25 assembly, a teacher, or a health care professional.

26 Sec. 2. Section 97B.52A, subsection 1, Code 2009, is amended
27 by adding the following new paragraph:

28 NEW PARAGRAPH. d. Notwithstanding any provision of this
29 subsection to the contrary, for a member whose first month of
30 entitlement is July 2010 or later, the member does not return
31 to covered employment with the same employer that employed
32 the member immediately prior to retirement until the member
33 has qualified for no fewer than twelve calendar months of
34 retirement benefits. However, this paragraph does not apply to
35 returning to employment as an elective official or member of

1 the general assembly, a teacher, or a health care professional.

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EXPLANATION

3 This bill provides that, beginning July 2010, a person who
4 retires under the Iowa public employees retirement system
5 (IPERS) and receives a retirement allowance shall not return
6 to covered employment under IPERS with the same employer
7 the person had just prior to retirement, and still receive a
8 retirement allowance, for 12 months. Current law, and the
9 law as it relates to returning to employment with a different
10 employer under the bill, allows a person to return to covered
11 employment after four months and still receive a retirement
12 allowance. The bill provides that the requirement to not
13 return to covered employment with the same employer for 12
14 months does not apply to returning to employment as an elective
15 official or member of the general assembly, teacher, or health
16 care professional. In these cases, the current bona fide
17 retirement rules applicable to those categories of employment
18 still apply.